

REMARKS/ARGUMENTS

This Amendment and the following remarks are intended to fully respond to the Office Action mailed June 13, 2007. In that Office Action, claims 1-20 were examined, and all claims were rejected. More specifically, claims 8-17 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter; claims 1 and 8 were rejected under 35 U.S.C. § 102 as being anticipated by Cheng (USPN 6067548); claims 2-6, and 9-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng, in view of Sonderegger et al. (USPN 6173289); claims 13-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng, in view of Stamm et al. (USPN 6711616); claim 17 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng, in view of Stamm as applied to claim 13, and further in view of Sonderegger et al.; claims 7, 12, 18, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng et al., in view of Hammer et al. (USPN 6076106); and claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng et al. and Hammer et al. as applied to claim 19, and further in view of Burkett et al. (USPN 6678889). Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this response, claims 1 and 13 have been amended.

Statement of Substance of Examiner Interview

The undersigned thanks Examiner Doan for the interview held on September 20, 2007. In that interview distinctions between claims 1-20 and the Cheng reference were discussed. Specifically, the undersigned noted that Cheng fails to disclose receiving information from a first and a second resource to perform first and second tasks. No agreement was reached on allowance of the claims.

Claim Rejections – 35 U.S.C. § 101

Claims 8-17 stand rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. Applicants respectfully disagree with the Examiner. Each of claims 8-12 either directly or indirectly depend from claim 1 which recites “storing in a memory the information received from the second resource in association with the information received from the first resource.” Claim 1’s storing step causes a functional change as a result of being stored in a memory and is therefore statutory subject matter.

Claim 13 also recites a storing step: “storing in a memory the task information associated with the new resource.” Claim 13’s storing step causes a functional change in the computer and therefore qualifies as statutory subject matter. As claims 15-17 either directly or indirectly depend from claim 13, claims 15-17 also claim statutory subject matter.

Claim Rejections – 35 U.S.C. § 102

Claims 1 and 8 stand rejected under 35 U.S.C. § 102 as being anticipated by Cheng (USPN 6067548).

Applicant’s claim 1 recites in part “receiving information from a first resource related to a first task, the first task for a first managed object of a predetermined object type; receiving information from a second resource related to a second task, the second task associated with the first managed object.” Applicant submits that Cheng does not disclose at least the above recited limitations of claim 1.

Cheng discloses a workflow method for distributing and controlling work in a computer system (Cheng, col. 16, lines 22-23). The work is defined by a procedure having a plurality of nodes, with each node being performed by either a computer system or by an agent (Cheng, col. 16, lines 24-28). Each time the procedure is to be performed, an instance of the procedure is defined and the instance is divided into a plurality of nodes (Cheng, col. 16, lines 33-39). A node of the instance to be performed is selected, a task for the node is created, and an assignment to perform the task is made to a resource (Cheng, col. 16, lines 39-41). An information packet in the instance is sent to the identified resource and the identified resource performs all activities of the task defined for the node. (Cheng, col. 16, lines 47-50). Another node is selected and the process repeats until the last node in the procedure has been performed (Cheng, col. 16, lines 58-59).

Cheng does not disclose receiving information from a first resource related to a first task and receiving information from a second resource related to a second task. As discussed, Cheng discloses assigning a resource to perform a task, not receiving information from a first and second resource related to a first and second task respectively. Even if it were assumed that an assignment to perform the task in Cheng was similar to receiving information from a first resource related to a first task and a second resource related to a second task as recited in Applicant’s claim 1, Cheng still does not disclose that the first task is for a first managed object

of a predetermined object type and the second task is associated with the first managed object. For these reasons, claim 1 is distinct from Cheng.

Furthermore, Applicant's claim 1 provides "sending a task request to the determined resource to perform the management task on the first managed object, wherein the sending occurs after receiving information from the first resource and receiving information from the second resource." Thus, Applicant's claim 1 is directed to performing a management task on a first managed object. However, prior to performing the management task on the first managed object, information about both the first and second resources, related to first and second tasks respectively, needs to be received.

As stated above, Cheng discloses that each time a procedure is to be performed, an instance of the procedure is defined and the instance is divided into a plurality of nodes. A task for the node is created and then resource is then selected to perform the task. (Cheng, col. 16, lines 39-41). An information packet in the instance is sent to the identified resource and the identified resource performs all of the activities of the task defined for the node. (Cheng, col. 16, lines 47-50).

Cheng does not disclose sending a task request to the determined resource to perform the management task on the first managed object, wherein the sending occurs after receiving information from the first resource and receiving information from the second resource as recited in claim 1.

As Cheng does not disclose at least the above recited limitations of claim 1, Cheng does not anticipate claim 1 nor dependent claim 8.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 2-6, and 9-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng, in view of Sonderegger et al. (USPN 6173289).

Claims 2-6 and 9-11 depend from claim 1 and therefore contain all the limitations of claim 1. As discussed, Cheng does not disclose at least the above recited limitations of claim 1 and the Examiner has not shown that Sonderegger discloses the above recited limitations of claim 1. Therefore, even if the references could be combined in the manner suggested by the office action, the combination would still lack at least the above recited limitations of claim 1.

As claims 2-6 and 9-11 depend from claim 1, claims 2-6 and 9-11 are not rendered obvious by the recited combination of references.

Claims 13-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng, in view of Stamm et al. (USPN 6711616).

Claim 13 is directed to a computer program product encoding instructions for executing a method that includes “retrieving task information associated with the new resource, wherein the task information relates to an object type managed by the new resource.” Cheng discloses that different tasks are created and assigned to various resources (Cheng, col. 13, lines 24-26; see also Cheng, col. 16 lines 47-50 “the identified resource performs all activities of the task defined for the node”). In contrast to Applicant’s claim 13, Cheng does not disclose task information relating to an object type managed by a new resource.

Cheng does not disclose the above recited limitation of claim 13 and the Examiner has not shown that Stamm discloses the above recited limitation of claim 13. Therefore, even if the references could be combined in the manner suggested in the office action, the combination would still lack at least the above recited limitation claim 13 and therefore would not render claim 13 obvious. As claims 14-16 depend from claim 13, claims 14-16 are not rendered obvious by the recited combination of references.

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng, in view of Stamm as applied to claim 13, and further in view of Sonderegger et al.

Claim 17 depends from claim 13 and therefore includes the limitation “retrieving task information associated with the new resource, wherein the task information relates to an object type managed by the new resource.” As discussed, Cheng does not disclose the above recited limitation and the Examiner has not shown that Sonderegger disclose the above recited limitation. Therefore, even if the references could be combined in the manner suggested in the office action, the combination would still lack at least the above recited limitation of claim 13. As claim 17 depends from claim 13, claim 17 is not rendered obvious by the recited combination of references.

Claims 7, 12, 18, and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng et al., in view of Hamner et al. (USPN 6076106).

Claims 7 and 12 depend from claim 1. As discussed, Cheng does not disclose or suggest at least the above recited limitations of claim 1, and Hamner does not disclose the above recited limitations of claim 1. Therefore, even if the references could be combined in the manner suggested in the office action, the combination would still lack at least the above recited limitations of claim 1. As claims 7 and 12 depend from claim 1, claims 7 and 12 are not rendered obvious by the recited combination of references.

Claim 18 recites in part “wherein in response to receipt of a request to perform a network administration task, the management module performing task functions on the associated objects of more than one resource.” As discussed, Cheng discloses that different tasks are created and assigned to various resources (Cheng, col. 13, lines 24-26; see also Cheng, col. 16 lines 47-50 “the identified resource performs all activities of the task defined for the node”). Cheng does disclose or suggest “in response to receipt of a request to perform a network administration task, the management module performing task functions on the associated objects of more than one resource.” Applicant submits that Hamner also lacks at least the above recited limitation of claim 18. Therefore, even if the references could be combined in the manner suggested in the office action, the combination would still lack at least the above recited limitation of claim 18, and would not render claim 18, nor dependent claim 19, obvious.

Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng et al. and Hamner et al. as applied to claim 19, and further in view of Burkett et al. (USPN 6678889). Claim 20 depends from claim 18 and therefore contains the limitation of claim 18 discussed above. As discussed neither Cheng nor Hamner disclose at least the above recited limitation of claim 18 and the Examiner has not shown that Burkett includes the above recited limitation of claim 18. Therefore, even if the references could be combined in the manner suggested in the office action, the combination would still lack at least the above recited limitation of claim 18. As claim 20 depends from claim 18, claim 20 is not rendered obvious by the recited combination of references.

Conclusion

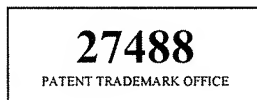
This Amendment fully responds to the Office Action mailed on June 13, 2007. Still, that Office Action may contain arguments and rejections and that are not directly addressed by this Amendment because they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicants believe the argument to have merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

A petition for a one (1) month extension of time is included herewith. The Commissioner is hereby authorized to charge deposit account number 13-2725 for the extension of time. The Commissioner is also authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

Dated: Oct. 15, 2007



A handwritten signature in black ink, appearing to read "Greg Johnson", written over a horizontal line.

Greg Johnson, Reg. No. 59,027
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
303.357.1651